

August 16, 2005

Arthur Neal
Director, Program Administration
National Organic Program
USDA-AMS-TMO-NOP
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Room 4008 So., Ag Stop 0268
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Dear Mr. Neal and National Organic Standards Board:

This letter is in reference to the National Organic Program, Sunset Review, Docket number TM-04-07.

We wish to thank the United States Department of Agriculture and the National Organic Standards Board for the opportunity to comment on the Sunset Review of the 2002 National List. Northwestern Foods has been co packing Certified Organic cocoas, drinks and supplements for our customers for the retail market for 6-7 years. **Northwestern Foods, Inc. supports the National List as published and would like to especially support the continued allowance of the following substances that are used in the manufacture of our 95%+ Certified Organic products:**

Acids (Citric) 205.605(a)

Location on National List: Reasons for Continued Allowance:

- Citric acid is used to control the pH as well as enhance flavor.
- There is no suitable organic alternative. Citrus juices would require to be used at high levels which would adversely affect the flavor of the product. Citric acid is produced by natural fermentation processes.

Acids (Lactic) 205.605(a)

Location on National List: Reasons for Continued Allowance:

- Lactic acid is used to control the pH as well as enhance flavor.
- There is no suitable organic alternative.

Calcium Carbonate 205.605(a)

Reasons for supporting continued allowance:

- Functions as a source of dietary calcium.
- There is no organic alternative as this is a mineral.

- Comparable products in the conventional market are fortified with calcium. Consumer expectation for calcium in certain categories of foods becomes a purchase decision factor. To be competitive and expand organic opportunities to the mainstream market requires the addition of dietary calcium.

Carageenan 205.605(a)

Reasons for supporting continued allowance:

- Functions as a texture modifier and for viscosity control.
- There is no organic alternative as this is produced from seaweed (a natural material).

Colors 205.605(a)

Reasons for supporting continued allowance:

- Used in organic flavored drink products.
- There is no organic alternative.

Enzymes 205.605(a)

Reasons for supporting continued allowance:

- Many of the liquid sweeteners used in organic food products are produced through a conversion process using enzymes.
- There is no organic alternative.

Natural Flavors 205.605(a)

Reasons for supporting continued allowance:

- Many organic flavors are still not commercially available. Factors limiting this availability include form (limited availability in dry form), raw material limitations and minimum quantities required for efficient production.
- Consumer expectation for food becomes a purchase decision factor. To be competitive and expand organic opportunities in the mainstream market requires that the flavor profile mirror that of the conventional product. It becomes a matter of providing an equivalent tasting food product organically. The organic consumer should have this choice.
- We believe that the current system of allowing the use of Natural Flavors with restrictions regarding the solvents, carriers and processing are adequate to protect the organic integrity of the certified organic (95%) category.

Nitrogen 205.605(a)

Reasons for supporting continued allowance:

- Used as a quenching agent to avoid oxidation of organic essential oils.

Sodium Bicarbonate 205.605(a)

Reasons for supporting continued allowance:

- Sodium bicarbonate (also known as baking soda) is an essential part of the leavening system in baked goods. It is required for the commercial production of baked goods such as cookies, cakes and crackers. It has been used for over a century both in the home and commercial bakeries.
- There is no organic alternative as this is produced from a mineral.

Ammonium Bicarbonate 205.605(b)

Reasons for supporting continued allowance:

- Ammonium bicarbonate has critical functionality as a leavening agent in certain cookies and crackers. It provides the characteristic texture as well as functions in controlling cookie spread. During the baking process, the ammonium bicarbonate decomposes and is no longer present in the baked good.
- There is no organic alternative.

Ascorbic Acid 205.605(b)

Reasons for supporting continued allowance:

- Used in organic flavors both for flavor enhancement and pH control. Water soluble vitamin.
- There is no organic alternative.

Calcium Phosphates (monobasic, dibasic and tribasic) 205.605(b)

Reasons for supporting continued allowance:

- Monocalcium Phosphate (Calcium Phosphate, monobasic) is an essential part of the leavening system of ours and many other baked goods. It is required for the commercial production of baked goods such as cookies and cakes. Monocalcium phosphate has been used for over a century and is a component in baking powders that are used both in home and commercial baking.
- Tricalcium Phosphate (Calcium Phosphate, tribasic) functions as the free-flow aid in salt. It is the only approved free-flow aid that performs acceptably in finely powdered salt.
- There are no organic alternatives.

Calcium hydroxide 205.605(b)

Reasons for supporting continued allowance:

- Used by our sugar suppliers for pH control.

Carbon dioxide 205.605(b)

Reasons for supporting continued allowance:

- Carbon dioxide has several uses including wide spread use as pest control in grains. It is also used as a solvent in supercritical extraction as well as in beverages.
- There is no suitable organic alternative.

Chlorine materials 205.605(b)

Reasons for supporting continued allowance:

- Chlorine is used as a sanitizer on food contact surfaces. Removal of chlorine would compromise the food safety of organic food products.
- There is no suitable organic alternative for the sanitizing of food contact surfaces.

Glycerine 205.605(b)

Reasons for supporting continued allowance:

- Functions in moisture control and for allowed natural flavors.
- Glycerin used in organic products is from vegetable sources. There is no organic alternative.

Lecithin (bleached) 205.605(b)

Reasons for supporting continued allowance:

- Lecithin has critical functionality and is the only emulsifier available for use in organic food production.

Nutrient Vitamins and Minerals 205.605(b)

Reasons for supporting continued allowance:

- Source of dietary vitamins and minerals.
- There is no organic alternative to Nutrient Vitamins and Minerals.
- 21 CFR 104.20, Nutritional Quality Guidelines for Foods allows for the enrichment of foods. In addition, the 2005 Dietary Guidelines for Americans encourages “...rest of the recommended grains coming from enriched or whole-grain products”. While nutrient fortification has become standard in the conventional market, there are fewer choices available in the organic market. Consumer expectation in certain categories becomes a purchase decision factor. To be competitive and expand organic opportunities in the mainstream market requires the ability to add vitamins and minerals.

Potassium Carbonate 205.605(b)

Reasons for supporting continued allowance:

- Potassium Carbonate is used as a processing aid in the Organic Alkalized “Dutch” Cocoa.
- Functions to provide the distinct flavor and color of a “Dutch” cocoa. The flavor profile that it provides is an important factor in the taste of our products. Consumer expectations for certain foods become a purchase decision factor. To be competitive in the mainstream market requires that the flavor and color profile mirror that of the conventional product. The Organic Dutch Cocoa provides that critical development tool.

Silicon Dioxide 205.605(b)

Reasons for supporting continued allowance:

- Used as a free-flow agent in organic powdered flavors.
- This is a mineral and should be reclassified as non-synthetic in the future.

Sodium Citrate 205.605(b)

Reasons for supporting continued allowance:

- Used as a buffering agent in various organic processed foods.
- This is a mineral and should be reclassified as non-synthetic in the future.

Xanthan gum 205.605(b)

Reasons for supporting continued allowance:

- Used as a viscosity agent in various organic drinks and foods.
- As a product of fermentation of carbohydrates, this gum should be considered for re-classification in the future.

Corn Starch 205.606

Reasons for supporting continued allowance:

- Functions to provide thickening at specific points in the manufacturing process.
- There is not yet a suitable organic alternative for specific forms.

Gums 205.606

Reasons for supporting continued allowance:

- Functions as a thickener and stabilizer.
- The types available organically are limited in availability and in the required form.

Lecithin (unbleached) 205.606**Reasons for supporting continued allowance:**

- Lecithin has critical functionality and is the only emulsifier available for use in organic food production.
- While we are aware that organic lecithin (unbleached) has been produced, the supply is limited. At this time there is no suitable organic alternative to the natural, non-GM lecithin (unbleached) that is currently being used. In addition there is no organic alternative in the deoiled (powdered) form.

Pectin 205.606**Reasons for supporting continued allowance:**

- Used a thickening agent in organic processed foods and beverages.
- No organic substitute.

The above substances as well as the remainder of the National List substances are commonly used throughout the food industry. As part of the original NOSB approval process the merits of putting them on the National List were thoroughly reviewed. We do not believe that the list of allowed substances was ever intentioned to be all-inclusive. Rather, it is made up of critical substances and ingredients necessary for the production of organic consumer products. Many of those ingredients have long been used in the food industry and have allowed for the growth of organic products into multiple grocery categories. The loss of those products would have a ripple effect from the consumer level all the way down to the farm level.

We believe that we can best serve the American consumer by providing organic choices. Retaining the National List as published allows us to do that.

Respectfully submitted,

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